

District Attorney Marc Bennett  
18<sup>th</sup> Judicial District of Kansas



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**Wichita, Kansas** – A man who was sentenced to over 38 years in prison for the traffic deaths of a mother and her daughter has been re-sentenced following a ruling last summer by the Kansas Supreme Court. On October 1<sup>st</sup>, 2008, Claudia Mijares and four year old Gisele were killed by a car driven by Gary Hammitt as they walked across the street to her Wichita school. In February of 2009, Hammitt pled guilty to two counts of second degree murder, aggravated battery and felony DUI. He received a sentence of 460 months in prison.

In July of last year the Kansas Supreme Court ruled in a different case that certain crimes dating back several years should be classified as nonperson crimes instead of person crimes.

Hammitt had been found guilty of several felony crimes before the fatality crash. Some of Hammitt's earlier crimes became nonperson felonies instead of person felonies under the Supreme Court's decision, which required Hammitt to be re-sentenced.

District Court Judge Jeffrey Goering re-sentenced Hammitt to 216 months in prison and an additional 12 months in the Sedgwick County Jail. Hammitt, 63, has served over eight years in prison. With the time already served, Hammitt has approximately eight more years before he's transferred to the Sedgwick County Jail to serve the 12 month jail sentence.

Hammitt told Judge Goering this afternoon he was sorry for what he did and realizes he may never get out because of declining health.

Daisy Mijares, the daughter of Claudia Mijares, shared with the Court her and her family's continued struggles.

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